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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Number Resource Optimization) CC Docket No. 99-200

RESPONSE TO OPPOSITION TO PETITION FOR RECONSIDERATION/CLARIFICATION

SBC Communications Inc. (SBC), on behalf of its subsidiaries and itself, requests the Commission ignore the distortion of its Petition for Reconsideration and Clarification¹ advanced by AT&T Corp.² and WorldCom Inc.³ Despite the misrepresentations made by these parties, SBC's purpose in seeking clarification of the Commission's Report and Order is to obtain assurance that it shall recover those costs to which it is entitled by law related to number optimization measures at the state and federal level. Without such clarification, SBC is concerned that there will be confusion as to which jurisdiction is responsible for the recovery of certain costs, and as a result, these costs will not be recovered.

By granting states interim authority to undertake number pooling trials in advance of the national thousands-block pooling, the Commission established a dual cost recovery process. Costs directly attributable to national thousands-block pooling are recoverable

¹ SBC Petition for Reconsideration and Clarification filed in this proceeding on August 22, 2000. (Petition).

² AT&T Corp. Comments on Petitions for Reconsideration, filed in this proceeding on August 15, 2000 (AT&T Opposition).

³ Opposition of WorldCom Inc, filed in this proceeding on August 15, 2000 (WorldCom Opposition).

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through a federal methodology; costs associated with the state pooling trial, as a condition of the Commission's granting of authority to various state commissions, are to be recovered through a state cost recovery mechanism. However, unlike long-term number portability, the expenditures associated with the national pooling scheme are not clearly delineated from the costs of pooling trials. Software, equipment upgrades and other modifications undertaken to support the national pooling standard will also support state trials and vice versa. It is for this reason that SBC sought the Commission's clarification as to which costs are recoverable under its methodology as compared to those to be recovered in the state jurisdiction. Failure to provide this clarification could conceivably result in unrecovered costs directly associated with number pooling.

Contrary to WorldCom's assertion,⁴ SBC's request for clarification is not a request for reconsideration. SBC does not contest the cost recovery principles contained in the Report and Order.⁵ Rather, it seeks clarification that costs directly attributable to thousands-block number pooling are covered by the federal cost recovery scheme, to the extent that such costs are not solely for the purpose of supporting state trials. By stating that this clarification by the Commission will give the states a "free pass on pooling cost recovery,"⁶ WorldCom is accusing state commissions of wanting to violate the condition under which they were granted interim authority to adopt number conservation measures. This "assumption" on the part of WorldCom is unwarranted and unjustified.

⁴ WorldCom Opposition, p. 12.

⁵ Report and Order, para.195-197.

⁶ WorldCom Opposition, p. 12.

AT&T also distorts SBC's request for clarification. SBC does not state or hold the belief that the state commissions will not meet their cost recovery obligation as AT&T argues.⁷ Rather, SBC is seeking guidance from the Commission which will aid the states in setting the parameters for their own cost recovery methodologies. In establishing a dual cost recovery mechanism, the Commission clearly intended that certain costs expended in support of both state and national efforts would be recovered at either the state or federal level. SBC is simply seeking the answer to this dilemma. No doubt if AT&T and WorldCom were bearing the burden for such costs, they too would be unwilling to allow the process to take its course without clarifying how costs would be recovered and transitioned to the national cost recovery mechanism.⁸ However, since they are not in this position, it furthers their goals to continue the confusion which hinders their competitors' cost recovery efforts. The Commission should not be deceived by such tactics.

⁷ AT&T Opposition, p. 18.

⁸ The FCC stated in its Report and Order that the individual state cost recovery schemes would transition to the national cost recovery plan when it became effective, but did not give any further guidance on how this would actually occur, Report and Order, par 171.

CONCLUSION

In the Report and Order, the Commission states that thousands-block pooling costs are to be recovered through an exclusively federal cost recovery mechanism.⁹ Yet, some of the actions taken in support of the federal standard also support state pooling trials. SBC's request for clarification as to the allocation of these costs between state and federal jurisdictions is justified and necessary to eliminate foreseeable confusion.

Respectfully Submitted,

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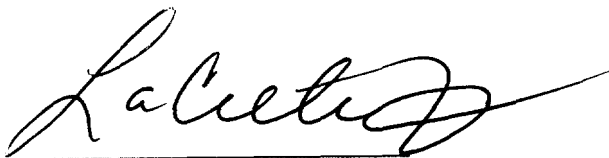
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August 25, 2000

⁹ Report and Order, para.195-196.

CERTIFICATE OF SERVICE

I, Lactetia Hill, do hereby certify that on this 25th day of August, 2000, a copy of the foregoing "Petition" was served by U.S. first class mail, postage paid, to the parties listed on the attached sheets.

A handwritten signature in cursive script, appearing to read "Lactetia Hill", written over a horizontal line.

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